

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST FOR TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
Check Box, if applicable (Only for continuation  
or Divisional applications under 37 CFR 1.53(d))

☒ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket Number  
of Prior Application

82022-0101

First Named Inventor

Nicholas P. MARCHESANI

Examiner Name

W. Pierce

Group Art Unit

3711

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 09/168,072 filed on October 8, 1998, entitled  
**LOW/MAX CARD GAME METHOD AND APPARATUS**

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on June 13, 2001, under 37 CFR § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application. 37 CFR § 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

09/27/2001 SHILLI 00000001 301349 09168072

01 FC:231 355.00 CH  
02 FC:203 135.00 CH

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	35 - 20* =	15	x \$ 18.00 =	270.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(d) or (j))	2 - 3** =	0	x \$ 80.00 =	00.00
	MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR § 1.16(d))			+ \$ _____ =	0.00
				BASIC FEE (37 CFR § 1.18)	710.00
	TOTAL OF ABOVE CALCULATIONS =				980.00
	Fourth (4 <sup>th</sup> ) Month Extension of Time Petition/Govt Fee:				000.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue Independent claims over original patent.				TOTAL = \$490.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1349:

a. ☐ Fees required under 37 CFR § 1.16

b. ☒ Fees required under 37 CFR § 1.17

c. ☐ Fees required under 37 CFR § 1.18

d. ☒ ANY DEFICIENCIES

8. ☒ Please charge the Deposit Account in the amount of \$490.00. A duplicate copy of this paper is enclosed herewith.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

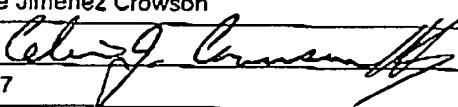
12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)

b. ☒ Return Receipt Postcard (Should be specifically itemized. See MPEP 503)

13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		24,633		or <input type="checkbox"/> New Correspondence address below	
<small>(Insert Customer No. or Attach bar code label here)</small>					
Name	Celine Jimenez Crowson HOGAN & HARTSON, LLP				
Address	555 Thirteenth Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004-1109
Country	USA	Telephone	202-637-5703	Fax	202-637-5910

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Celine Jimenez Crowson
Signature	
Registration No. (Attorney/Agent)	40,357
Date	September 10, 2001